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Attorneys for Plaintiff  
FACEBOOK, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

FACEBOOK, INC.,

Plaintiffs,

v.

POWER VENTURES, INC. a Cayman Island  
Corporation,; STEVE VACHANI, an  
individual; DOE 1, d/b/a POWER.COM,  
DOES 2-25, inclusive,

Defendants.

Case No. 5:08-cv-05780 JW

**DECLARATION OF MORVARID  
METANAT IN SUPPORT OF  
FACEBOOK INC.'S MOTION FOR  
ADMINISTRATIVE RELIEF TO  
FILE UNDER SEAL, PURSUANT TO  
CIVIL LOCAL RULE 79-5(B), THE  
DECLARATIONS OF RYAN  
MCGEEHAN AND JOSEPH  
CUTLER, AND PORTIONS OF  
FACEBOOK'S MOTION FOR  
PARTIAL SUMMARY JUDGMENT**

Dept: Courtroom 9, 19th Floor  
Judge: Hon. James Ware

1 I, Morvarid Metanat, declare:

2 1. I am an attorney with the law firm of Orrick, Herrington & Sutcliffe LLP and  
3 counsel for Plaintiff Facebook, Inc., I make this declaration in support of Facebook's  
4 Administrative Motion, pursuant to Civil Local Rule 79-5(b), to file: 1) the entire November 13,  
5 2011 Declaration of Ryan McGeehan in Support of Facebook's Motion for Partial Summary  
6 Judgment on Count 1 of the CAN-SPAM Act ("McGeehan Declaration"), and Exhibits 2-4  
7 thereto; 2) portions of the Declaration of Joseph Cutler in Support of Facebook's Motion for  
8 Partial Summary Judgment on Count 1 of the CAN-SPAM Act ("Cutler Declaration") and  
9 portions of Exhibit C attached thereto; and 3) the portions of Facebook's Motion for Partial  
10 Summary Judgment on Count 1 of the CAN-SPAM Act referencing the McGeehan and Cutler  
11 Declarations. I make this Declaration based on facts made known to me, unless otherwise stated.

12 2. The McGeehan Declaration and the Cutler Declaration have been designated as  
13 "HIGHLY-CONFIDENTIAL-ATTORNEY' EYES ONLY" pursuant to the Parties' Protective  
14 Order, dated February 4, 2011 (Dkt. No. 95).

15 3. Facebook seeks to seal the McGeehan Declaration because it contains Facebook's  
16 confidential and proprietary business information. Specifically, the McGeehan Declaration  
17 discusses Facebook's internal infrastructure in responding to attacks on Facebook's systems and  
18 servers, including the technical measures implemented by Facebook to prevent such attacks. This  
19 information is highly sensitive and Facebook may suffer irreparable harm if this information is  
20 not protected from disclosure through public filing. Specifically, public disclosure of Facebook's  
21 technical measures implemented to prevent attacks on Facebook would enable third parties to  
22 circumvent such measures, putting Facebook at significant risk for future, pervasive attacks. For  
23 these reasons, Facebook respectfully requests that the McGeehan Declaration be sealed from the  
24 public record.

25 4. Facebook also seeks to seal portions of the Cutler Declaration, specifically  
26 Paragraphs 3-6, 10, 12 and Exhibits B and C attached thereto. Like Mr. McGeehan, Mr. Cutler  
27 discusses Facebook's confidential and proprietary business information, including specific details  
28 related to the investigation the Perkins firm performed for Facebook, how Facebook responded to

8           5.       To the extent Facebook, in its moving papers, quotes from or derives information  
9       from either the McGeehan and Cutler Declarations, for the foregoing reasons, it also respectfully  
10      requests that those portions of Facebook's Motion for Partial Summary Judgment on Count 1 of  
11      the CAN-SPAM Act be sealed.

12 I declare under penalty of perjury under the laws of the United States that the foregoing is  
13 true and correct.

14 Executed this 14th day of November, 2011 at Menlo Park, California.

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/s/ Morvarid Metanat

MORVARID METANAT